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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Petition for Rulemaking to) RM-9740
Amend Part 25 of the)
Commission's Rules to Update)
Out-of-Band Emissions From)
Satellite Networks)
_____)

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

COMMENTS OF GLOBALSTAR, L.P.

Pursuant to Section 1.405 of the Commission's Rules, Globalstar, L.P., provides the following comments on the above-referenced "Petition for Rulemaking" to modify the out-of-band emissions limits in Section 25.202(f) (47 C.F.R. § 25.202(f)).¹

As an initial matter, Globalstar strongly recommends that the Commission not pursue further proceedings on this Petition until Working Parties 4A, 8D and 10-11S and Task Group 1/5 of the International Telecommunication Union-Radiocommunication Sector ("ITU-R") have finished development of recommendations for out-of-band emissions limits for

¹ See Public Notice, DA 99-2601 (Nov. 19, 1999).

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satellite networks.² Currently, the ITU-R is in the process of establishing recommended emissions limits for satellite services.

Allowing the ITU-R to complete its work first is efficient and better serves the public interest. The output recommendations of ITU-R should be the input to a Commission rulemaking either to adopt the recommendations or to modify the recommendations for the United States. By waiting for the ITU-R to complete its deliberations, the extensive analysis developed in the ITU process and the recommended limits can be considered fully and carefully by the industry and the Commission, before the Commission modifies Section 25.202(f). Moreover, by waiting for the completion of the ITU-R recommendations, the Commission will be able to ask for comments on the ITU recommendations in the initial round of comments for a “Notice of Proposed Rulemaking,” rather than taking general comments now on out-of-band emissions limits issues, and then seeking a second round of comments on the ITU-R recommendations.

The Commission should definitely not pursue a rulemaking concurrently with the ITU process. If the Commission were to do so, it may find it difficult to support one position or advance several positions from the United States in the ITU. That situation could hamstring the Commission’s

² Globalstar does not object in principle to a rulemaking to modify Section 25.202(f). However, such a rulemaking is premature for the reasons set forth in the text.

and U.S. industry's ability to influence the ITU-R process and to ensure that the most effective limits are adopted.

Waiting for completion of the ITU-R process does not appear prejudicial to any interests. The Petition does not suggest that there is some urgency to modify Section 25.202(f). For individual cases needing relief from the rule, the Commission can consider a waiver if justified by the specific facts. Therefore, Globalstar recommends that the Commission either dismiss the petition, subject to refile after completion of the ITU-R process, or hold the petition in abeyance pending publication of the ITU-R recommendations.

Subject to the preceding caveat, Globalstar provides the following responses to the questions raised in the Petition.³

Question 1

Should the generic out-of-band (OOB) mask be in dBc, dBs, or PFD units or some combination?

Response: *The generic OOB emissions mask for Space Services should not be in PFD units. Document US TG 1/5-063 Rev.4 provides the rationale. As far as the dBc and dBs units are concerned, either of these could be used. However, due to the fact that the current OOB emission mask in the Commission's Rules is in dBc units and application of the mask to wideband systems results in OOB emissions, in some cases, being higher than the in-band emissions, it is preferred that the dBs units be used (or dBsd as currently being proposed in TG 1/5 to signify spectral density).*

³ These are Globalstar's preliminary views, subject to modification as additional analyses and information become available.

Question 2

Should the emissions of a multi-carrier system with a wideband frequency allocation be treated differently than those of a system with a single broadband carrier?

Response: *To give a system designer more flexibility to use the spectrum more efficiently for a particular application, the OOB emissions mask for all systems should be treated the same. Therefore, the emissions of a multi-carrier system with a wideband frequency allocation and a system with a single broadband carrier should not be treated differently.*

Question 3

Should the mask be defined as a function of authorized bandwidth (FCC approach) or necessary bandwidth (ITU approach)?

Response: *Assuming the following definitions for the authorized bandwidth and necessary bandwidth:*

Authorized Bandwidth: The width of a frequency band within which the emission of a station is authorized by an Administration in the license granted for operation of the station;

Necessary Bandwidth: For a given class of station, the width of the frequency band which is just sufficient to ensure the transmission of information at the rate and with the quality required under specified conditions (RR S1.152). For multi-carrier systems the necessary bandwidth is defined to be equal to the 3-dB transponder bandwidth or the authorized bandwidth, whichever is smaller;

the mask should be defined as a function of the necessary bandwidth.

Question 4

Should a generic mask be used for all space services allocations unless otherwise specified?

Response: *To treat all systems in the space services allocations equally, a single generic mask should be used for all of them, except in cases where, for some exceptional reasons, the OOB emissions needs to be different.*

Question 5

Should the FCC Rules incorporate out-of-band values agreed in Recommendations of the ITU-R?

Response: *Since there are no existing ITU-R Recommendations in this regard, it is assumed that the intent is incorporation of the future ITU-R Recommendations that are still under development. Considering that the ITU-R Recommendations are developed by experts from different Administrations including the United States, it would be appropriate for the FCC Rules to incorporate the OOB emissions mask agreed to in Recommendations of the ITU-R.*

In conclusion, Globalstar recommends that the Commission not proceed further with the issues raised in the Petition for Rulemaking until the ITU-R has published its recommended emissions masks for Satellite Services out-of-band emissions. In the event that the Commission does proceed with a rulemaking, then the comments set forth above should be included in any proposed modification to Section 25.202(f).

Respectfully submitted,

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Date: December 20, 1999

CERTIFICATE OF SERVICE

I, William D. Wallace, hereby certify that I have on this 20th day of December, 1999, caused to be served true and correct copies of the foregoing "Comments of Globalstar, L.P." upon the following parties via hand delivery (marked with an asterisk(*)), or by first-class United States mail, postage prepaid, upon:

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